Alberta Human Rights
and Citizenship Commission

Strategic Plan

April 1, 2004 to March 31, 2005

Contents

Introduction and overview 3

Guiding Framework for the Commission's 2004-05 strategic plan 4
- Link to ministry strategic issues 5
- Link to ministry strategic priorities 5
- Link to ministry goal and strategies 6

Commission responsibilities and key initiatives for 2004-05 6

Part 1: Chief Commissioner's responsibilities as head of the Commission 6
- a) Responsibilities in relation to the Minister 6
- b) Responsibilities in relation to the commissioners 6
- c) Responsibilities in relation to the director 6
- d) Other responsibilities 7

Part 2: Chief Commissioner's and Commissioners' responsibilities for adjudicative and other activities 7
- a) Appeals to the Chief Commissioner 7
- b) Human rights panels 7
- c) Other activities 7
- d) Key initiatives 2004-05 7

Part 3: Commission activities under the director's responsibility for the administration of the Act 7
- a) Complaint resolution services 7
- b) Information, education and consultation services 8
- c) Other activities 8
- d) Key initiatives 2004-05 8

Resources 9

Results 9
- a) Overall ministry results 9
- b) Commission public perception indicators 9
- c) Part 1 and 2 results: Chief Commissioner's and commissioners' responsibilities 10
- d) Part 3 results: Commission activities under the director's responsibility for the administration of the *Act* 10

Appendix 11
- Organizational chart 11

Note: This document contains selections from the Ministry business plan. The complete Ministry business plan can be found at http://www.finance.gov.ab.ca/publications/budget/budget2004/comdev.html This document contains excerpts from the Human Rights, Citizenship and Multiculturalism Act. The complete Act can be found at http://www.qp.gov.ab.ca/Documents/acts/H14.CFM

105-05146/

Introduction and overview

The *Human Rights, Citizenship and Multiculturalism Act* (the Act) protects people in Alberta from discrimination that is prohibited under this legislation. The purpose of Alberta's human rights legislation is to ensure all Albertans have an equal opportunity to earn a living, find a place to live and enjoy services available to the public without experiencing discrimination.

The Act establishes the Alberta Human Rights and Citizenship Commission (the Commission) as an independent commission that reports through the Ministry of Community Development.

As outlined in the Act, the Commission has a two-fold mandate:

- to foster equality, and
- to reduce discrimination.

Commission mandate under Section 16 (1) of the *Human Rights, Citizenship and Multiculturalism Act*
• forwarding the principle that all persons are equal in dignity, rights and responsibilities without regard to race, religious beliefs, colour, gender, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, or sexual orientation • promoting awareness and appreciation of and respect for the multicultural heritage of Alberta society • promoting an environment in which all Albertans can participate in and contribute to the cultural, social, economic and political life of Alberta • encouraging all sectors of Alberta society to provide equality of opportunity • researching, developing and conducting educational programs designed to eliminate discriminatory practices related to the protected grounds • promoting an understanding of, acceptance of and compliance with this Act • encouraging and co-ordinating both public and private human rights programs and activities • advising the Minister on matters related to this Act.

The Commission carries out work in three separate and distinct areas:

- the work of the Chief Commissioner as head of the Commission,
- the work of the Chief Commissioner in reviewing appeals and the work of the commissioners on human rights panels hearing and making decisions on complaints, and
- the work of the director and staff in resolving and settling complaints and in delivering public information, education and consultation services.

As the head of the Commission, the Chief Commissioner is responsible for keeping the Minister informed on human rights issues, providing the commissioners with guidance

An electronic version provided by the Government of Alberta

regarding their panel hearings and other functions, and providing the director with guidance regarding the overall goals and direction of the Commission. In addition, the Chief Commissioner undertakes other related activities.

The primary purpose of the Chief Commissioner and commissioners in relation to human rights complaints is to make decisions about complaints that have not been able to be settled. The Chief Commissioner reviews appeals of decisions made by the director to dismiss or discontinue complaints. He also appoints commissioners to serve on human rights panels (administrative tribunals) that hold public hearings into human rights complaints. These adjudicative responsibilities are carried out completely independently of the ministry and government. The Chief Commissioner and commissioners also undertake other related activities.

An appointed director and employees handle the administrative responsibilities relating to the resolution and settlement of complaints made under the Act. Responsibilities related to the resolution and settlement of individual complaint files are carried out completely independently of the ministry and government. This work is also separate and distinct from the work of the Chief Commissioner in reviewing appeals and the work of commissioners in hearing and making decisions on human rights complaints. In keeping with the purposes of the Act, the director and employees also provide public information, education and consultation services and undertake other related activities.

Appendix 1 provides an organizational chart showing the relationship of the Chief Commissioner, the director and the ministry.

Guiding Framework for the Commission's 2004-05 strategic plan

The ministry's business plan for 2004 – 07 provides a guiding framework for the Commission's business plan, as it does for all other entities that report through the ministry.

Government of Alberta Vision statement

A vibrant and prosperous province where Albertans enjoy a superior quality of life and are confident about the future for themselves and their children.

Alberta Community Development Ministry Vision statement:

A superior quality of life reflecting fair, inclusive, and active communities engaged in valuing Alberta's cultural, historical, and natural heritage.

Alberta Community Development Ministry Mission statement:

To preserve and present Alberta's cultural and natural heritage, and promote community development, fairness and an inclusive society.

(Community Development Business Plan 2004-07, p. 136)

The work of the Commission aligns with one of the ministry's three core businesses:

> *Protect human rights, promote fairness and access, and support the protection, inclusion, and participation of all Albertans*
>
> *(Community Development Business Plan 2004-07, p. 140)*

This core business is linked to two goals that reflect the desired results of programs and services delivered by the ministry. The Commission's work is directly linked to one of these two goals:

> *Goal 2 - Support people in having an opportunity to participate in the social, economic and cultural life of the province without discrimination*
>
> *(Community Development Business Plan 2004-07, p. 140)*

Link to ministry strategic issues

Two of the strategic issues identified in the ministry business plan relate to this goal:

1. *Increasing demands for assistance with building community capacity in the areas of the arts, sport and recreation, libraries, human rights and the voluntary sector*
2. *Responding to Albertans who face discrimination, increasing complexity of human rights and diversity issues, and the growing need for programs and services that contribute to building a more inclusive and respectful society*

(Community Development Business Plan 2004-07, p. 137)

For the Commission, these issues include the following:

- The increasing pressure on the complaint resolution process of the Alberta Human Rights and Citizenship Commission related to the nature and volume of cases
- The continuously evolving nature of human rights case law and the increasingly litigious environment in which statutory human rights agencies operate
- The need for programs and services that meet the needs of an increasingly diverse population, that contribute to social cohesion and build a more inclusive society
- The overall increasing complexity of human rights, diversity, and legal issues
- The diversity of interests and stakeholders

Link to ministry strategic priorities

One of the three key strategic priorities facing the ministry involves the Commission. It is the priority of "inclusion", which is defined as:

> *Fostering equality, strengthening community inclusion for persons with disabilities, and supporting the reduction of discrimination and barriers to full participation in society*
>
> *(Community Development Business Plan 2004-07, p. 138)*

Some of the work done by the Commission also relates to another of the ministry's strategic priorities, which is capacity building. The Commission engages individuals, organizations and communities to help build their capacity to participate in society and take appropriate action on issues related to discrimination and inclusion.

Link to ministry goal and strategies

The ministry business plan outlines specific strategies of how it aims to achieve goal 2:

> *2.1 Protect human rights by delivering services to resolve and adjudicate complaints of alleged discrimination, inclusive of statutory compliance.*
>
> *2.2 Support the development of awareness, understanding and capacity of individuals, organizations, communities and workplaces that contribute to building a society that is respectful of human rights and diversity and that is free of discrimination.*
>
> *(Community Development Business Plan 2004-07, p. 140)*

The first strategy is the exclusive responsibility of the Commission. Responsibility for the second strategy is shared with the Human Rights, Citizenship and Multiculturalism Education Fund Advisory Committee and the Human Rights and Citizenship Branch of the department.

Commission responsibilities and key initiatives for 2004-05

Part 1: Chief Commissioner's responsibilities as head of the Commission

a) Responsibilities in relation to the Minister

The Chief Commissioner advises the Minister on current human rights, diversity, multiculturalism and other matters relating to the Act. The Chief Commissioner is also appointed by the Minister to serve as vice-chair of the Human Rights, Citizenship and Multiculturalism Education Fund Advisory Committee.

b) Responsibilities in relation to the commissioners

The Chief Commissioner oversees the actions the Commission takes on human rights complaints that are not resolved or settled by the staff in the regional offices or director. The Chief Commissioner assigns part-time commissioners to chair and serve on human rights panels (administrative tribunals), and leads the commissioners in developing policy and managing issues related to their responsibilities. He also oversees the initial selection and re-appointment of part-time commissioners and arranges training for commissioners as appropriate.

c) Responsibilities in relation to the director

The Chief Commissioner provides the director with guidance regarding the overall goals and direction of the Commission.

d) Other responsibilities

The Chief Commissioner confers with other provincial and national organizations and agencies to advance mutual goals. As head of the organization, the Chief Commissioner issues public statements related to significant Commission matters and related human rights, diversity and multicultural issues, and represents the Commission at public events.

Part 2: Chief Commissioner's and Commissioners' responsibilities for adjudicative and other activities

a) Appeals to the Chief Commissioner

The Chief Commissioner reviews appeals of decisions made by the director to dismiss or discontinue complaints. He either upholds the director's decision or offers the complainant the opportunity of having the complaint decided by a human rights panel.

b) Human rights panels

The Chief Commissioner assigns commissioners to chair and serve on human rights panels. The human rights panels hold public hearings for complaints that have been forwarded by the Chief Commissioner, as well as complaints that have been forwarded by the director because they have not been resolved through the Commission's complaint resolution process.

c) Other activities

In addition to their responsibilities for adjudication, the Chief Commissioner and commissioners develop policy and manage issues related to their responsibilities. They also represent the Commission at public events. In addition, the Chief Commissioner responds to judicial reviews of his decisions.

d) Key initiatives 2004-05

- Deliver high-quality, timely and fair service in adjudicating appeals and through human rights panels to achieve high settlement and closure rates.
- Continuing to implement improvement strategies in the appeal and human rights panel processes.

Part 3: Commission activities under the director's responsibility for the administration of the Act

a) Complaint resolution services

The director and staff administer the following activities provided for by the Act:

- responding to confidential inquiries on human rights matters and making referrals to other agencies where appropriate
- resolving human rights complaints, including screening, accepting, conciliating, investigating and settling complaints made under the Act
- participating as a party before human rights panels as required
- participating as a party in appeals of panel decisions at Court of Queen's Bench and at higher courts as required
- advocating before the Supreme Court of Canada in cases of national importance

In addition, Commission legal counsel support the Chief Commissioner and commissioners, and appear for the Chief Commissioner in court on judicial reviews. The director and staff also support the enforcement of remedies that human rights panels order to settle human rights complaints.

b) Information, education and consultation services

The director and staff provide the following services:

- developing and offering resources and programs to build awareness and understanding of human rights, diversity, multiculturalism and the impact of legal decisions, and of the programs and services offered by the Commission
- promoting an understanding of, acceptance of, and compliance with the Act
- building knowledge and skills within targeted audiences and building partnerships that support the development of a society respectful of human rights and diversity

c) Other activities

The director and staff develop policy and manage issues related to their responsibilities. They also liaise with other jurisdictions, organizations and agencies to achieve mutual goals. The director advises the assistant deputy minister on general matters that fall under the director's responsibilities. The director and staff also respond to media inquiries concerning the Commission's processes and activities. The director and staff are responsible for planning, management and administration of the Commission.

d) Key initiatives 2004-05

- Investigate strategies to expedite the resolution of human rights complaints
- Continue developing awareness strategies
- Develop new information resources to develop a greater understanding of human rights and diversity issues and the impact of legal decisions
- Undertake collaborative projects with other governments and organizations that further mutual goals
- Undertake development of an outcome-based strategic performance management framework for the Commission

Resources

All resources required by the Commission are provided through the Ministry of Alberta Community Development. See Program 3 "Human Rights and Citizenship" in the Alberta Community Development estimates for 2004-05. The Commission receives financial support from the Human Rights, Citizenship and Multiculturalism Education Fund for expenses related to its educational initiatives.

Results

a) Overall ministry results

The ministry's success in achieving its goal of protecting human rights, promoting fairness and access, and supporting the protection, inclusion, and participation of all Albertans is measured through the following public perception indicator. This indicator is evaluated annually through an independent public survey:

Performance Measure	Results 2001-02	Results 2002-03	Results 2003-04	Target 2004-05
Adult Albertans' perception of the effectiveness of human rights protection in Alberta	85.7%	83.7%	84.8%	86%

b) Commission public perception indicators

In addition to the ministry's performance measures, the Commission reports on the following public perception indicators, which are evaluated through an independent public survey:

Public perception indicator	Results* 1998-99	Results* 1999-00	Results* 2000-01**	Results* 2002-03
Percentage of Albertans who are aware of the Human Rights and Citizenship Commission	72%	74%	71%	72%
Percentage of Albertans who believe the Commission plays an important role in the protection of human rights.	91%	93%	94%	90%

**Results are rounded.*
***Beginning in 2001-2002, these indicators are being evaluated on a 2-3 year basis, rather than annually. These indicators were not evaluated in 2001-2002 or 2003-04.*

c) Part 1 and 2 results: Chief Commissioner's and commissioners' responsibilities

The Commission reports annually on the following activities related to appeals to the Chief Commissioner and human rights panels conducted by commissioners:

- number of appeals reviewed by the Chief Commissioner and his decisions on them
- number of complaints scheduled for or heard by panels and how the complaints are closed
- panel decisions
- relevant court decisions

Results from other activities undertaken by the Chief Commissioner and commissioners are also reported.

d) Part 3 results: Commission activities under the director's responsibility for the administration of the *Act*

The Commission reports annually on the following activities related to the activities of the director and staff in resolving and settling complaints:

- timeliness of processing of human rights complaint files
- the number of complaint files opened
- the areas and grounds on which complaints are made
- the number of complaints closed
- the way in which complaints are closed

The level of educational activity is reported in terms of:

- changes to existing programs and services
- new programs and services developed
- level of activity in programs and services (e.g. number of presentations and workshops)

Results from other activities undertaken by the director and staff are also reported.

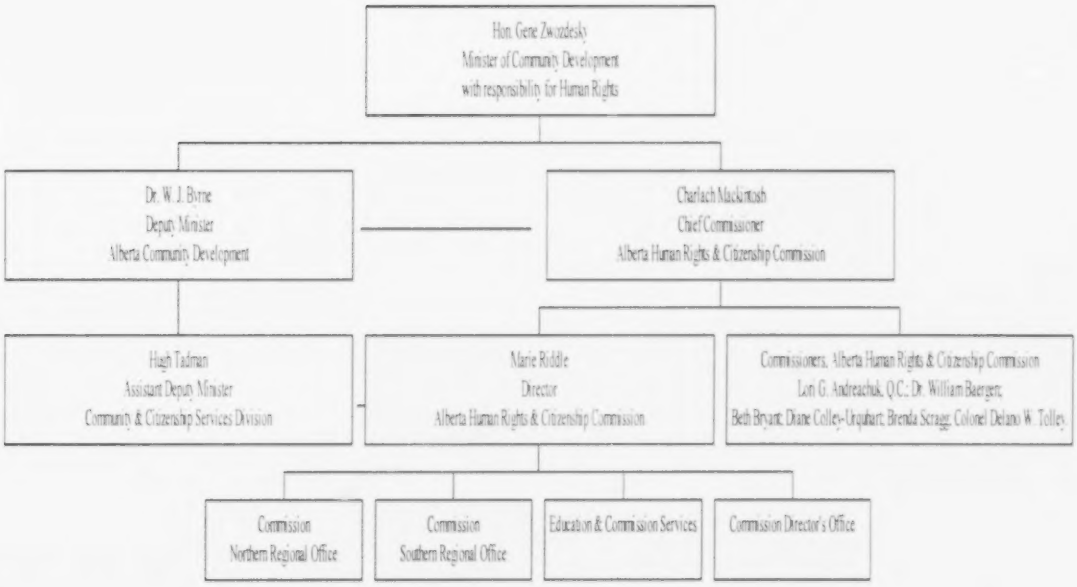
Appendix

Organizational chart

APPENDIX I

ALBERTA HUMAN RIGHTS & CITIZENSHIP COMMISSION

Organizational Chart & Relationship to the Ministry of Community Development



Note: The Alberta Human Rights & Citizenship Commission is an independent commission created by the Government of Alberta. It reports through the ministry of Community Development. The shaded boxes in the above organizational chart represent the Commission itself. The links to the Assistant Deputy Minister, the Deputy Minister and the Minister show how liaison with the Ministry of Community Development is maintained.